

REMARKS

Claims 1-6 are pending. Claim 2 has been canceled without prejudice or a disclaimer. Claims 7- 16 have been added. Claim 1 stands rejected. Claims 1 and 9 are independent claims.

Claims 5 and 6 stand objected for improperly reciting that the “antenna remote control apparatus of claims 2 and 4.” In response, the applicant has amended each of claims 5 and 6 to depend on claim 2. In addition, the applicant has added new claims 7 and 8, which respectively contain the features of the original claims 5 and 6, that depend on claim 4.

Applicant believes that claims 5 and 6 no longer contain informalities, as suggested by the Office Action. Therefore, applicant respectfully requests removal of the objections.

Applicant wishes to thank the Examiner for indicating that each of the claims 2-6 would be allowable if each claim is rewritten as an independent claim incorporating all features of the base and any intervening claims. In response, the applicant has incorporated all features of claim 2 into claim 1 and canceled claim 2.

Claim 1 stands rejected under 35 U.S.C ' 103(a), as allegedly obvious over Journey (U.S. 4,301,397) in view of Rhodes *et al.* (U.S. Pub. 2004/0038714) (“Rhodes”).

Claim 9 and its dependent claims 10-16 have been added. The support for claim 9 and its dependent claims 10-16 can be found in the original claim 1 and its dependent claims 2-6, respectively. In addition, the support for the term “combining” and any derivative thereof, as recited in the newly added claim 9, can be found in the specification at page 3, line 22-27.

Applicant respectfully submits that claim 9 reciting an antenna remote control apparatus comprising a “**remote controller for combining a driving voltage, a reference signal, and an RF signal,**” the features similar to those in claim 1, is not obvious over Journey in view of Rhodes.

The United States Court of Appeals for the Federal Circuit held that to “reject claims in an application under section 103, [the Office Action] must show an **unrebutted *prima facie* case of obviousness** (*In re Rouffet*, 149 F.3d 1350, 47 USPQ2d 1453 (Fed. Cir. 1998) (citing *In re Deuel*, 51 F.3d 1552, 1557, 34 USPQ2d 1210, 1214 (Fed. Cir. 1995))). The *prima facie* case can be established only if the prior art references, among others, teach **all features** in the claims (*In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)), including those in **functional language** (*In re Schreiber*, 128 F.3d 1473, 1478, 44 USPQ.2d 1429 (Fed. Cir. 1997) (holding that the patent applicant is free to recite features of an apparatus claim in functional language as long as the features in functional language are not inherent to the prior art)).

In rejecting claim 1, the Office Action appears to indicate that the remote controller for combining a driving voltage, a reference signal, and an RF signal, as recited in claim 1 and 9, is disclosed in Journey’s description of the identical speed characteristics of the antenna motor 14 and the control motor 28 (the present Office Action, page 2).

Applicant respectfully submits that the description regarding the identical speed characteristics of the antenna motor 14 and the control motor 28, as described in the Journey, does not explicitly or implicitly disclose a “**remote controller for combining a driving voltage..., a reference signal..., and an RF signal,**” as recited in claim 9.

Rhodes, as read by applicant, discloses a cellular antenna. However, nowhere in Rhodes is there a disclosure of an antenna remote control apparatus comprising “**remote controller for combining a driving voltage..., a reference signal..., and an RF signal,**” as recited in claim 9.

Therefore, both Journey and Rhodes fail to teach a “**remote controller for combining a driving voltage..., a reference signal..., and an RF signal,**” as recited in claim 9, and the references, alone or in combination, do not establish that claim 9 is *prima facie* obvious.

Amendment
Serial No. 10/721,956

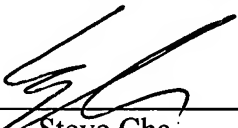
Other claims in this application are each dependent on the independent claim 1 and 9 and believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.

Should the Examiner deem that there are any issues which may be best resolved by telephone, please contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

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